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09/350,952	07/09/1999	LAURENCE R. BROTHERS	99-803	8993

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EXAMINER

NGUYEN, CUONG H

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/350,952

Applicant(s)

BROTHERS, LAURENCE R.

Examiner

CUONG H. NGUYEN

Art Unit

3661

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-33 and 35-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 20-33 and 35-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is the answer to the amendment submitted on 1/11/2005.
2. Claims 20-33, 35-43 are pending in this application.

Response:

3. Because pending claims are amended, new ground(s) for rejections are applied herein. The examiner respectfully submit that amended claims contain limitations that are not inventive: i.e., a combination of cited references would be obvious to one in the art to derive claimed method for processing a catalog, see Carlsson et al. (US Pat. 6,490,367) teaches that claim: (see Claim 15 ¶ 15. The system according to claim 2, wherein the central unit includes means for ensuring that any terminal unit communicating with the central unit is an associated terminal unit which is authorized to communicate with the central unit, means for authenticating one of a group of certification authority administrators as the certification authority for issuing each certificate, means for verifying certificate data, means for checking integrity of certificate data and that the certificate data has been created by an authorized certification authority administrator, means for checking contents and plausibility of the certificate data, means for comparing a sequence certificate number with previous certificate numbers, means for checking a period of validity for the certificate request, means for compiling certificate data from the associated terminal unit, the certification authority administrator, and information added by the central unit to issue a certificate, where the central unit communicates with different associated terminal units on completely unprotected lines, the central unit

having means for providing secure communications on said unprotected lines.”) ; and
(see Carlsson et al., claim 16 “16. The system according to claim 2, wherein each
associated terminal unit includes means for authenticating a certification authority
administrator as the certification authority, means for handling input data, means for
checking the plausibility of the input data, means for creating part of the certificate
contents, means for authenticating the central unit, means for communicating with the
central unit, means for verifying certificates, means for checking the certificate contents,
means for personalizing the certificates for individual users, means for updating external
catalogues, means for creating revocation messages to terminate issued certificates,
means for handling revocation confirmations, means for opening any blocked certificate,
and means for updating certificates.” .

Lambert et al. (US Pat. 6,038,601) also teach what was
claimed in pending claim 20: «Detailed Description Text (84):

The modifications can be performed manually by an administrator, or automatically by
the back-end server according to scheduling and inclusion/exclusion criteria specified by
the administrator. Manual updates are most useful in assigning custom lookahead weights
to member pages. Manual updates can be performed either on the back-end server
machine via server utility programs, or on a client PC via any of the graphical
administration mechanisms described in section 3.1.4 TOC Management. Automatic
updates are performed by the back-end server according to scheduling information stored
as part of the TOC definition in the TOC catalog.

Detailed Description Text (106):

This configuration mechanism is simple and powerful. It allows intranet administrators to

configure their clients without any installation-time work by the user. Because the configuration data is received in the form of a subscription notification, clients will receive any configuration changes as soon as they are made. If multicast notification is used, only one copy of the new configuration is sent to all clients. The mechanism is reasonably secure because the configuration host name is well-known within the client's local Internet domain, and the client initiates contact with the configuration publisher. Additional security can be implemented with Secure HTTP and digital signatures to authenticate the publishing host.

Detailed Description Text (129):

Some sites may not want any of their content cached at all. These are sites whose content changes rapidly or unpredictably, or whose content is extremely short-lived. An ICEXPIRE whose EXPIRATION attribute is set to the special value ALWAYS tells the server that all content satisfying the lookahead tag's match criteria are to always be verified from the network, and satisfied from the cache only if the content has not changed.". The examiner respectfully submits that Lambert's TOC catalog is an electronic document and that is within claim 20's meanings (please note that claim 20 "servicing selection of object" merely means doing something on selected objects; this limitation is not inventive).

While the particular data claimed is not identical to that in the reference, it would have been recognized by those of ordinary skill in the art that any difference does not create a functional distinction between the claimed method and the teaching of the claimed reference. In other

words, those of ordinary skill in the art would have recognized, in light of the applied prior art, that the data used does not alter how the recited steps are performed. As a result, since the steps of the method and those of the prior art are effectively the same, there is no patentable distinction.

These pending claims must involve an explanation of how the data was being used in the claim, or how to verify content; the claimed limitations of "responding to requests for verification of the content based on the sourcing information and the information for verifying content; and "responding to selection of objects for at least one of sale by and purchase by a user in accordance with the at least one ordering method information and payment method information." do not contribute to a method of providing/processing a catalog because "verifiable" is not significantly contribute to claimed steps of providing a catalog; in claim 20, there are only 2 essential steps: providing/processing information and verifying content in a method of providing an electronic catalog (please note that amended "processing a ... catalog" is BROADER than previous "providing" a catalog because "processing" including a specific step of "providing". In the last paragraph of amended claim 20, there is actually no further explanation

although "electronically servicing selection...", this merely indicates that a selection is processed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 20-23, 26, 28, 30, 32, 41 are rejected under 35 U.S.C. § 103 as being unpatentable over Perkowski (US Pat. 5,950,173), in view of Carlsson et al. (US Pat. 6,490,367), and in view of Dana Mackenzie.**

A. As per claim 20: Perkowski teaches an environment of e-commerce, wherein product ordering and/or payment method information, and an offer to sell entry and/or an offer to buy entry are discussed, an environment of e-commerce, wherein product ordering or payment method information, and an offer to sell entry or an offer to buy entry are discussed; in summary Perkowski provides related information (see Perkowski, 10:53 to 11:33).

Perkowski does not expressly disclose about:

- providing sourcing information, and a payment method information in a header section;

- providing an entry in a body section of an electronic document, wherein that entry is corresponding to a sale from an above source; (the examiner submits that such entry is normally available/provided from an online source);
- providing information to verifying a document content in that document's footer section;
- Interactively performing communications (i.e., responding to requests for content verification, and responding to a user's selection).

However, Mackenzie sufficiently teaches about providing a verifiable electronic catalog in a computer environment, comprising about missing ideas from Perkowski's invention (see Mackenzie pg.2: 3-7 and 18-20); Carlsson et al. also suggest about verifying, comparing, and checking contents and plausibility of data (see Carlsson et al., claims 15-16).

It would have been obvious to one with ordinary skill in the art at the time of invention to appreciate a combination of teachings of Perkowski, Carlsson et al., and Mackenzie for providing standard portions of an electronic document, and verifying a document's content because these steps help a user to make sure that the viewing catalog is the most authenticated, updated document.

B. Re. To claim 41: The rationales and references for

rejection of claim 20 are incorporated.

Perkowski does not disclose about generating/providing a tag in an electronic catalog for specifying a transaction type.

However, Mackenzie teaches about generating/providing a tag in an electronic catalog (see Mackenzie page 1, para. 7-8, page 2, para.1-4) for specifying a transaction type.

C. Re. claim 21: The rationales and references for rejection of claim 20 are incorporated.

Mackenzie further teaches about distributing elements of a document (see Mackenzie 2:27-30).

D. Re. claim 22: The rationales and references for rejection of claim 21 are incorporated.

Perkowski also teach that the distribution of an electronic document is via URL links (see Perkowski, the abstract).

E. Re. claim 23: The rationales and references for rejection of claim 20 are incorporated.

Perkowski teaches that an electronic document permits a user to select between URL links (see Perkowski, Fig. 4A1), and in-line data for presentation of multimedia content (see Perkowski, the abstract).

The examiner respectfully submits that this claimed limitation is very obvious to one of ordinary skill in the

art because with an accessible document, a user could make a selection among given choices for displaying (e.g., typing an URL or selecting a link for displaying a selection).

F. Re. claims 26, 28, 30, and 32:

The rationales and references for rejection of claim 20 are incorporated.

Perkowski teaches about integrating/assembling/aggregating elements (from different catalogs) into one document/catalog (see Perkowski, 10:53-65).

About claim 32's limitation, the examiner submits that disassembling (e.g., cutting a document into 2 parts and renaming them) step is obvious from Perkowski's teachings of assembling elements together.

5. Claims 24-25 are rejected under 35 U.S.C. § 103 as being unpatentable over Perkowski (US Pat. 5,950,173), in view of Dana Mackenzie, in view of Carlsson et al. (US Pat. 6,490,367), and further in view of Schumacher et al. (US Pat. 6,269,446).

The rationales and references for rejection of claim 20 are incorporated.

A. As to claim 24:

Perkowski, and Mackenzie do not disclose about providing a digital signature in a footer of an electronic

catalog.

However, Schumacher teaches a method of providing a digital signature in the footer of an electronic catalog, wherein a digital signature in the footer of said catalog is located (see Schumacher, the summary, and Fig.4).

It would have been obvious to one with ordinary skill in the art to appreciate a combination of Perkowski, Mackenzie, Carlsson et al., and Schumacher for providing a digital signature in a footer of an electronic document for a benefit of using digital signature would be an indication that the viewing catalog is the most authenticated, updated document.

B. Re. To claim 25: The rationales and references for rejection of claim 24 are incorporated.

Perkowski and Mackenzie do not disclose about a digital signature comprises a private key that corresponds to a public key.

However, Schumacher further teaches an electronic document, wherein a digital signature comprises a private key that corresponds to a public key.

The examiner further submits that this limitation is fundamental (already been defined in dictionaries) to one of ordinary skill in the art because digital signature would utilize both pair of keys: public & private key

(e.g., see Schumacher et al., the abstract);

It would have been obvious to one with ordinary skill in the art to appreciate a combination of Perkowski, Carlsson et al., Mackenzie, and Schumacher for providing a digital signature comprising a private key that corresponds to a public key, because artisan would recognized a standard definition that a digital signature would comprise a pair of key that corresponding to each other.

6. Claims 27, 29, 31, 33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Perkowski (US Pat. 5,950,173), in view of Dana Mackenzie, in view of Carlsson et al. (US Pat. 6,490,367), in view of Schumacher et al. (US Pat. 6,269,446), and further in view of Mike Heck.

The rationales and references for rejection of claim 26 are incorporated.

Schumacher further teaches a method for:

- locate a digital signature in the footer of said catalog (see Schumacher, the summary, and Fig.4). The examiner submits that this is obvious to a step of using that digital signature provided by the source for verification in claim 24.
- verifying for authentication/(security checking) of an electronic document/catalog, it would be analogous to repeat the same step for an integrated/assembled/

aggregated catalog in claims 27/29/31 (see Schumacher, the abstract).

About claim 33's limitation, the examiner submits that verifying the authenticity for a disassembled catalog (e.g., cutting a document into 2 parts and renaming them) is analogous from the combination of Perkowski and Schumacher's teachings.

It would have been obvious to one with ordinary skill in the art to appreciate a combination of over Perkowski, Mackenzie, Carlsson, Schumacher, and Heck ideas for verifying authentication with a digital signature because it gives a level of authentication to a document; furthermore, it was old and well-known to use a digital signature for authentication of an electronic document.

7. Re. To claims 35-37: They are rejected under 35 U.S.C. § 103(a) as being unpatentable over Perkowski (US Pat. 5,950,173), in view of Dana Mackenzie, in view of Carlsson et al. (US Pat. 6,490,367), and further in view of Mike Heck.

The rationales and references for rejection of claim 20 are incorporated.

A. As to claim 35, Mackenzie also teaches about updating a catalog (e.g., modifying an electronic catalog document), comprising:

- determine catalog's information is current; and
- update/modifying said electronic catalog (see Dana Mackenzie's article).

However, Mike Heck's article teaches these missing items.

The examiner submits that this claimed limitations are very obvious to one of ordinary skill in the art because for reviewing a catalog, (the "determine catalog's information is current" limitation is assumed coming out with a "TRUE" answer because next step "updating a catalog" must be performed) a user can identify visible portion of that catalog including a header, a footer, and a body (see Mike Heck 's article); a computer program could do that task automatically by using pointer/index to jump to each defined portion e.g., a footer, a body, or a header (for instant, an Office Action is created by Microsoft Word with identified portions: Serial Number of an application (a header), a body (detail actions), or a footer (page number)). Then merely determine whether document info. are current or not by just reviewing/looking at that document creation date, if not current, updating with current info. This has been routinely done by a computer user; these limitations are old and well-known.

The examiner submits that one with ordinary skill in

the art would appreciate a combination of Perkowski, Mackenzie, and Mike Heck for verifying authentication/(e.g., security checks) because it has been a common practice of one with ordinary skill in the art to make sure an electronic catalog containing current information.

B. As to claim 36, this claim is also directed to a method for updating a document using time-stamps.

The examiner submits that computer programs are well-known for sorting elements by dates/time (those are stamped using machine clock), and could be programmed to delete old items by comparing to a given date (e.g., the most recent date and time). This claim contains limitations that are obvious to computer programmers.

C. As to claim 37: This claim is also directed to a method for updating a document, wherein the document has an indication for modified or unmodified.

The examiner submits that a time-stamp for a document (knowing that detail by using a file directory) is old and well-known with computer users as an indication about a date/time for a modified or an unmodified document.

8. Claim 38 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Perkowski (US Pat. 5,950,173), in view of Dana Mackenzie, in view of Carlsson et al. (US Pat.

6,490,367), and in view of Mike Heck.

The rationales and references for rejection of claim 20 are incorporated.

Mackenzie teaches about updating a catalog (e.g., modifying an electronic catalog document).

Perkowski, Mackenzie, and Mike Heck do not disclose about signing a catalog after updating.

However, Carlsson et al. teach about providing a digital signature (after verifying/updating a document - see Carlsson et al., claim 13).

It would have been obvious to one with ordinary skill in the art to appreciate a combination of Perkowski, Mackenzie, Heck, and Carlsson et al. for verifying authentication using a digital signature because it increases security levels of an electronic document, and users would know for sure that a viewing catalog is the most authenticated, updated document.

9. Re. To claim 39: It is rejected under 35 U.S.C. § 103 as being unpatentable over Perkowski (US Pat. 5,950,173), in view of Dana Mackenzie, in view of Carlsson et al. (US Pat. 6,490,367), and further in view of Business Wire's article about Diamond Head.

The rationales and references for rejection of claim 20 are incorporated.

Mackenzie further teaches a method for annotation of an electronic catalog, comprising:

- generating a source document from elements/sections of an electronic catalog (by putting elements of a document together, a programmer could easily create a document) (see Mackenzie 1:26-31);
- provide an annotation section referring to entries in said source document (see Mackenzie 1:42-44).
- Perkowski, Carlsson et al., and Mackenzie do not disclose about a compound document.

However, Business Wire's article about Diamond Head teaches about that missing feature.

- Diamond Head teaches about "generate a compound document" having elements similar to that of an electronic catalog (see Business Wire, page 2, para. 7); (the examiner notes that "compound document" has been known prior to application's priority date - e.g. OLE documents, then the only thing to put together element to make that items);

It would have been obvious to one with ordinary skill in the art to combine Perkowski, Mackenzie, Carlsson, Heck, and Business Wire's article for generating a compound document from defined portions for use in electronic catalogs because this gives extra flexibility and

convenience in handling source elements..

10. Re. To claim 40: It is rejected under 35 U.S.C. § 103 as being unpatentable over Perkowski (US Pat. 5,950,173), in view of Dana Mackenzie, in view of Carlsson et al. (US Pat. 6,490,367), and further in view of Schumacher et al. (US Pat. 6,269,446).

The rationales and references for rejection of claim 39 are incorporated.

Perkowski, and Mackenzie do not disclose about providing a digital signature in a footer of a compound document.

However, Schumacher or Carlsson et al., teach a method of providing/using a digital signature for verification a document, and providing an authentication of the source document, (see Schumacher, the summary, and Fig.4). The examiner submits that it is analogous to verifying an electronic document and a compound document because similar steps are performed (see also Carlsson et al., claim 19 "19. The system according to claim 3, wherein the certificate authority publishes revocation lists terminating previously issued certificates and wherein the certificate authority is made up of different certificate issuers, each certificate issuer having a different unique digital signature and being certified by a higher ranking

.. authority and each certificate issuer being able to certify...
other lower ranking certificate issuers.")

It would have been obvious to one with ordinary skill in the art to appreciate a combination of Perkowski, Mackenzie, Carlsson et al., and Schumacher for providing/using a digital signature in an electronic document because that digital signature would be used for verification.

11. Re. To claims 42-43: They are rejected under 35 U.S.C. § 103 as being unpatentable over Perkowski (US Pat. 5,950,173), in view of Carlsson et al. (US Pat. 6,490,367), and in view of Dana Mackenzie.

The rationales and references for rejection of claim 41 are incorporated.

A. As to claim 42: It is directed to a method using a tag, wherein that tag supports a one-to-one sales model.

The examiner respectfully submits that "a tag support a one-to-one sales model" merely contains specific data; that data/information do not change the claimed method/step (please note that those information in that tag are called: non-functional descriptive information). This claim is rejected on obviousness with references of claim 41.

B. As to claim 43: It is directed to a method wherein a tag supports one-to-one, many-to-one, and one-to-many sales

model.

It is obvious that a sale tag can different information/many different sales model (e.g., one-to-one, many-to-one, one-to-many) with a same-price sales tag in retailed business. That "specific" data/information do not change the claimed method/step (please note that those information in that tag are called: non-functional descriptive information). This claim is rejected on obviousness with references of claim 41.

Conclusion

12. Claims 20-33, 35-43 are not patentable. Applicant's amendment necessitates a new ground of rejections; accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 703-305-4553.

The examiner can normally be reached on 7:15 am - 3:45 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 703-305-8233. The fax phone number for the organization where this application is assigned is 703-305-7687. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cuong H. Nguyen

CHAN
CUONG H. NGUYEN
Primary Examiner
Art Unit 3661